

## **RESPONSE AND REMARKS**

### SECTION 112 AND ALLOWABLE SUBJECT MATTER

In the Office Action, the Examiner rejected Claims 12, 30 and 54-57 under 35 U.S.C. §112, second paragraph, as being indefinite. Office Action Topic Nos. 8-11, pgs 3-4. The Examiner indicated that Claims 12, 30, and 54-57 would comprise allowable subject matter if amended or rewritten to resolve the Section 112 rejections.

The indication of allowable subject matter is gratefully acknowledged with appreciation.

The rejections under Section 112 have been carefully considered. Claims 12, 30, and 54-57 have been amended to more distinctly claim the claimed invention. It is respectfully asserted for the reasons given further below, that the amended Claims are definite under Section 112.

In particular, it is respectfully asserted that independent Claim 12, as amended, recites “[a] shipping management computer system comprising at least one computer device that is programmed for ...” performing the various claimed limitations. As such, it is respectfully asserted that amended Claim 12 recites the structure of at least one computer device and therefore comprises a system claim that is definite under Section 112.

Further, it is respectfully asserted that independent Claim 30, and its dependent Claims, as amended, recite that the claimed “at least one computer device” is programmed to perform the various claimed limitations. As such, it is respectfully asserted that amended Claim 30 and its dependent Claims clearly recite structural elements that are programmed to perform the recited limitations and are therefore definite under Section 112.

It is respectfully asserted that none of the cited references, whether considered alone or in combination, disclose, anticipate, teach or suggest the

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combination of all of the limitations of amended Claims 12, 30 and 54-57, and  
that the application is in condition for allowance.

Respectfully submitted,  
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Date

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